



# STATE OF MONTANA DEPARTMENT OF REVENUE JOB PROFILE

**Working Title**

Paralegal I – Liquor and Tobacco

**Job Code Title**

Paralegal Legal Assistant I

**Pay Band**

4a

**Job Code Number**

232114

**Director's Office**

Legal Services Office  
Litigation Unit

**Fair Labor Standards Act**

Non-Exempt

The Montana Department of Revenue administers more than 30 state taxes and fees; establishes values for taxable property, including agricultural land, residential real estate, commercial real estate, forest land, business equipment, railroads and public utilities; supervises the operation of the state liquor stores and agencies and administers the laws governing the sale, taxation, and licensing of alcoholic beverages; and returns unclaimed property to its rightful owners.

The Director's Office supports the agency's Director and is composed of five work units: Legal Services Office; Office of Tax Policy and Research; Office of Human Resources and Organizational Development; Office of Taxpayer Assistance; and the Executive Office. The Legal Services Office provides complete legal services to all divisions and the director's Office, representing the Department of Revenue and the State of Montana before administrative boards and in state and federal courts in all litigation involving Montana taxes and liquor laws. The office also handles all administrative rule, disclosure, and dispute resolution matters for the department. The Legal Services Office is comprised of the Litigation Unit, the Regulatory Unit, and the Office of Dispute Resolution.

**Job Responsibilities**

The Liquor and Tobacco Paralegal provides paralegal work involving liquor and tobacco cases and assists attorneys and paralegals with legal case work. The work includes research, drafting a variety of legal documents, and reviewing specialized legal documents such as foreclosures and quiet title actions. This position participates in various legal proceedings as member of a team that may consist of attorneys and other paralegals, expert witnesses, and clients. The position reports to the Litigation Unit Management Officer and does not supervise other staff.

**• Liquor and Tobacco Litigation Paralegal Support 75%**

1. Reviews all liquor cases when they come to Legal Services from the Liquor Division to make sure all necessary information is received by reading the police reports and other relevant information noting contacts, witnesses, the nature of the violation, etc. Researches cases involving the license holder for the past three years. Sets up and organizes the case file in Amicus by making a case information sheet and completing other documents such as the notice to appear for assigned counsel.
2. Drafts legal and administrative documents such as letters, notices, affidavits, subpoenas, motions, answers, interrogatories, requests for production, briefs, legal memoranda, orders, writs, and judgments. These documents may be prepared at the direction of an attorney or determined through review of the case by the paralegal.

3. Writes questions for interrogatories and discovery requests based on the details in the notice of violation by reviewing the police report and other relevant information.
4. Responds to requests for production by copying and organizing the contents of the file, preparing a list of documents sent, and working with the attorney to decide which documents are confidential and not to be sent.
5. Locates witnesses for court or hearing. Prepares subpoenas and other legal documents as directed using various computer programs and document templates.
6. Compiles exhibits for all liquor control cases by organizing the products of discovery and interrogatories for trial/hearing. Coordinates exhibits, expert reports, and other documents with the attorney. Prepares documents in the proper format and assembles exhibit and trial notebooks.
7. Schedules depositions and meetings and may attend with the attorney. Ensures witnesses, especially law enforcement, are available and prepared for trial or hearing. May assist attorney in preparing witnesses for depositions and trial.
8. Prepares templates for documents that occur repeatedly and keeps them updated as requirements change.
9. Prepares liquor and tobacco settlement agreements using agency templates and information provided by the attorney.
10. Logs and maintains settlement agreement files using a computer spreadsheet with the facts and information regarding all settlement agreements.
11. Ensures payments received through settlement agreements are copied and sent to the Processing and Retention Operations Bureau.

- **Administrative Duties 15%**

1. Conducts basic legal research by securing various legislative histories, copies of bills, statutes, and case law through both manual and electronic research.
2. Uses software programs to research information and compile data and information to support the department's case such as amount owed in back taxes and assets.
3. Assists staff attorneys in drafting legal pleadings, reports, correspondence, legislation, and other documents for various administrative boards and courts. Ensures all documents comply with board or court requirements as they apply to format and style. Ensures filing deadlines are met.
4. Reviews all mail for assigned attorneys to ensure a timely department response. Dockets all upcoming events and due dates for legal pleadings including foreclosure, trust indentures, quiet title, and bulk transfer actions.
5. Receives foreclosure and quiet title actions served on the department. Prepares disclaimers or other answers. Conducts research to determine if tax debt is owing to the state. If taxes are owed, determines how to proceed to ensure the state is a party to any action.
6. Prepares copies of documents to comply with the service requirements of either Montana's district courts or the United States' district courts. Files with the appropriate court within approved time frames.
7. Maintains the legal library, logs, and computer and hard copy files to ensure attorneys have ready access to necessary legal information.
8. Reviews legal pleadings, documents, and correspondence to ensure all applicable statutory and court requirements have been met.

- **Other Duties as Assigned 10%**

1. Performs other duties as assigned by the supervisor.

### **Job Requirements**

To perform successfully as a liquor and tobacco paralegal, the incumbent must be self-motivated; possess a strong work ethic; maintain a positive attitude; and enjoy working with, and for, the public. Skills in multi-tasking; paying attention to details and accuracy; accountability; managing multiple priorities under tight deadlines; mathematics; providing timely and effective written, verbal, and

interpersonal communication; conflict resolution; research; compiling, analyzing, and organizing data from multiple sources; locating and checking citations in the legal library or through legal research programs; understanding written information; following written and oral directions and instructions; and word processing, spreadsheet, database and specialized legal software applications are required. This position works with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job.

This position requires knowledge of applicable statutes and regulations; legal terminology and phraseology; preparation and use of legal forms and documents for judicial and administrative boards; administrative rules and procedures; law office practices and procedures; business writing; legal research methods and techniques; and tax systems.

- The minimum level of education and job-related work experience needed as a new employee **on the first day** of work is a two-year degree in paralegal studies and two years of job-related work experience.
  - Work experience should be made up of working in a law office as a paralegal or legal secretary.
  - Other combinations of education and experience will be evaluated on an individual basis.

### **Department Core Values**

- **Respect:** As a representative of the people of Montana, proceeds with the highest level of respect for the dignity of every person contacted through work. Without exception, all people are treated as equally as possible. The employee is a faithful steward of the resources provided to this agency by the citizens of Montana.
- **Integrity:** Conducts work honestly and makes decisions that establish a clear record that the department serves the public with integrity. Apologizes for mistakes and gives credit to others for their cooperation, work, and ideas in achieving positive results. Accountable for their actions and holds others accountable for theirs. Decisions and judgments achieve equity and justice for all parties involved including citizens and co-workers.
- **Productivity:** Consistently strives to minimize the waste of the department's financial, facilities, and human resources. Diligently works to improve the productivity and effectiveness of the work unit. Welcomes and encourages new ideas on improving the results of the department from the public, other officials, colleagues, and supervisors. Approaches work in a manner that builds goodwill, trust, and cooperation internally with other staff and externally with the public.
- **Teamwork:** Maximizes cooperation and teamwork when working with other employees, divisions, and other state agencies. Willing to work with others for the opportunity to learn from their ideas, talents, and knowledge. Seeks to resolve conflicts with other employees and work units in an open and respectful manner that reinforces teamwork. Celebrates the successes of others.

### **Working Conditions**

Must work under time constraints, be able to maintain numerous projects at one time, and determine priorities on a daily basis. At times, the incumbent will deal with angry, hostile, and difficult individuals. This may cause stressful work conditions and a high degree of mental stress. As a Department of Revenue employee, the incumbent may come into contact with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job. This position requires considerable computer and keyboard use. The incumbent may spend considerable time on the phone. Work hours may exceed 40 hours per week from time to time. Lifting is infrequent, less than 15 pounds and includes carrying light items such as papers and books. This job requires regular attendance as scheduled by the supervisor. This job cannot be performed at an alternate work site.

**Special requirements**

- Background Examination: Applicants for this position will be subject to a criminal background review before being considered for employment. Individual circumstances involving a criminal conviction will be reviewed to determine an applicant's eligibility for employment.
- Compliance with All Appropriate Montana Tax Laws: An employee's tax status must be current.

**This job profile was produced by the Office of Human Resources in conjunction with the appropriate managers.**

**Division Administrator Review:** The statements in this job profile are accurate and complete.

Signature: C.A. Daw, Chief Legal Counsel Date: August 2010

**Human Resource Director Review:** The Office of Human Resources has reviewed this job profile.

Signature: JeanAnn Scheuer, Human Resources Director Date: August 2010

**Employee:** My signature below indicates I have read this job profile and discussed it with my supervisor.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (print): \_\_\_\_\_